

SUPREME COURT OF MISSISSIPPI  
COURT OF APPEALS OF THE STATE OF MISSISSIPPI  
NO. 2009-CA-01202

DR. JERRY PRATT

APPELLANT

VERSUS

CASE NO. 2009-CA-01202-COA

GULFPORT-BILOXI REGIONAL AIRPORT  
AUTHORITY D/B/A GULFPORT-BILOXI  
INTERNATIONAL AIRPORT AND ATLANTIC  
SOUTHEAST AIRLINES, INC.

APPELLEES

**SUPPLEMENTAL BRIEF OF APPELLEE**  
**ON NOTICE AND STATUE OF LIMITATIONS ISSUES**

APPEAL FROM THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI,  
FIRST JUDICIAL DISTRICT

(Oral Argument is Not Requested)

ATTORNEYS FOR APPELLEE:

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### SUPPLEMENTAL ARGUMENT

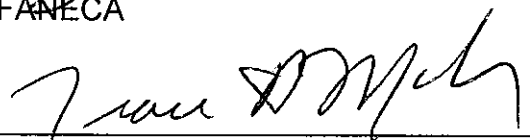
The Appellee agrees with the Appellant that the issues of defective notice and statute of limitations under the Mississippi Tort Claims Act were not raised in the trial court by the Appellee. The Appellee further agrees that the Appellant's Notice of Claim served on Gulfport-Biloxi Regional Airport Authority's chief executive officer pursuant to the Mississippi Tort Claims Act and the filing of the Complaint in this matter were timely in light of the extraordinary legislation (MS Legis. Fifth Extraordinary Session 8 (2005)) passed, post-Hurricane Katrina, which extended statutes of limitations in Harrison County.



RESPECTFULLY SUBMITTED, this the 21 day of July, 2010.

GULFPORT-BILOXI REGIONAL AIRPORT  
AUTHORITY d/b/a GULFPORT-BILOXI  
INTERNATIONAL AIRPORT

BY: DUKES, DUKES, KEATING & FANCA, P.A.

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### CERTIFICATE

Pursuant to M.R.A.P. 25(a), I hereby certify that on this date, July 26, 2010, I deposited in the United States Mail, first class postage prepaid, the original and three copies of the foregoing Supplemental Brief of Appellee addressed to:

Betty W. Sephton, Clerk  
Supreme Court of Mississippi  
Court of Appeals of the State of Mississippi  
P.O. Box 249  
Jackson, MS 39205-0249


Honorable Lawrence Bourgeois  
P.O. Drawer 1570  
Gulfport, MS 39502

I further certify that I have deposited in the United States Mail, first class postage prepaid, one copy of the Brief of the Appellee to the following:

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This, the 21st day of July, 2010.

  
TRACE D. MCRANEY